Scrapping of ESMA

†1131. SHRI RAMA SHANKER KAUSHIK: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have taken a decision to scrap Essential Services Maintenance Act (ESMA); if so, the basis of this decision and the reasons therefor; and

(b) the option available with Government to avoid strikes and making the smooth functioning in Government or Public Sectors, hospitals etc. after scrapping the said act?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) and (b) Essential Services (Maintenance) Ordinance, 1941, which is of permanent nature and continues to be on the statute books, despite the fact that subsequently enacted Essential Services (Maintenance) Acts of 1968 and 1981, were allowed to lapse on expiry of their time span, is proposed to be repealed by the Government by introduction of the Essential Services (Maintenance) Ordinance Repeal Bill, 2001.

Public order being a State subject, several State Governments have enacted their own Essential Services (Maintenance) Acts.

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†Original notice of the question was received in Hindi.